

DAVID L. ANDERSON (CABN 149604)
 United States Attorney
 SARA WINSLOW (DCBN 457643)
 Chief, Civil Division
 GIOCONDA R. MOLINARI (CABN 177726)
 Assistant United States Attorney
 450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-7220
 Facsimile: (415) 436-6748

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

United States of America, State of California,
ex rel. Hercules Malabanan,

Plaintiffs,

v.

San Francisco Pain Management and Physical
 Therapy (d.b.a. Total Care Plus), *et al.*,

Defendants.

Case No. 14-CV-05165 LB

**STIPULATION AND NOTICE OF
 DISMISSAL**

1. Under Federal Rule of Civil Procedure 41(a)(1), the United States of America and the Relator in this action, through his successor in interest and authorized representative, Nieves Briones Malabanan, hereby stipulate to dismiss with prejudice the claims against defendant Parvez Fatteh (“Fatteh”) concerning the “Covered Conduct,” as defined in and pursuant to the terms and conditions of the Settlement Agreement that they entered into with Fatteh, effective on July 10, 2020 (“Settlement Agreement”).

2. Under Federal Rule of Civil Procedure 41(a)(1), and consistent with the terms of the Settlement Agreement, the Relator dismisses without prejudice all other claims made against Fatteh, and claims made against all remaining defendants San Francisco Pain Management and Physical Therapy (d.b.a. Total Care Plus), Thang Nguyen, Anthony Ngo, and Eugene Plotista. The United States has

1 informed Relator that it consents to the dismissal of the remaining claims in this case against Fatteh and
2 the claims against all remaining defendants, provided that dismissal is without prejudice to the rights of
3 the United States.

4 3. The United States and the Relator specifically do not release any claims not expressly
5 released by the Settlement Agreement.

6 4. No answer has been served or filed, and no parties other than the United States and the
7 Relator have appeared in this action.

8 IT IS SO STIPULATED.

9 Respectfully submitted,

10 DAVID L. ANDERSON
11 United States Attorney

12 DATED: July 29, 2020

13 By: /s/
14 GIOCONDA R. MOLINARI
15 Assistant United States Attorney
16 Attorneys for the United States

17 COTCHETT, PITRE, MCCARTHY, LLP

18 DATED: July 29, 2020

19 By: /s/
20 NIAL P. MCCARTHY
21 JUSTIN T. BERGER

22 THE BROD LAW FIRM

23 DATED: July 29, 2020

24 By: /s/
25 GREGORY J. BROD
26 Attorneys for Plaintiff-Relator

27 *In compliance with Civil Local Rule 5-1(i), the filer of this document attests that all signatories listed*
28 *have concurred in the filing of this document.*